

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT WINCHESTER**

<b>GREAT AMERICAN INSURANCE CO.,</b>	)	
	)	
<b>Petitioner,</b>	)	
	)	
<b>vs.</b>	)	<b>No: 4:09-CV-17</b>
	)	
<b>EDWARD SCOTT POTTER,</b>	)	
<b>KATHY POTTER,</b>	)	
<b>DANLON FARMS, L.L.C.,</b>	)	
<b>JOHN PUCKETT,</b>	)	
<b>JOHN PUCKETT and HOLLY PUCKETT,</b>	)	
<b>d/b/a PUCKETT STABLES,</b>	)	
<b>and CHARLES E. CHEEK,</b>	)	
	)	
<b>Respondents.</b>	)	

**MOTION FOR DISMISSAL OF CASE**

Plaintiff Great American Insurance Co., pursuant to Rule 41(a)(1)(B) of the Federal Rules of Civil Procedure, hereby moves that this case be dismissed without prejudice. In support of this Motion, Plaintiff submits to the Court that the underlying tort lawsuit styled Charles E. Cheek v. John Puckett, et al., Case No. 08-CV-97, which is at issue in the present lawsuit, was recently dismissed. Accordingly, the Plaintiff respectfully moves this Court for entry of an Order of Dismissal, without prejudice, in this case. Plaintiff has attached a proposed Order of Dismissal for this Honorable Court's review.

Respectfully submitted,

/s/ Mark S. LeVan  
Mark S. LeVan, (# 012155)  
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**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of this document was served, via electronic means and U.S. Mail, upon the following:

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This 16<sup>th</sup> day of June, 2009.

/s/ Mark S. LeVan  
Mark S. LeVan